

LAW OFFICES OF

**GOLDBERG & DOHAN, L.L.P.**

GEORGE Z. GOLDBERG\* ♦ +  
RUSSELL A. DOHAN<sup>+</sup>

**FROM THE OFFICE OF:**  
PENN U. DODSON \* ♦

\* MEMBER OF THE NY BAR  
♦ MEMBER OF THE GA BAR  
+ MEMBER OF THE FL BAR

**ADDITIONAL OFFICES IN**

GEORGIA, FLORIDA, TENNESSEE, COLORADO,  
NORTH CAROLINA, ALABAMA, MICHIGAN & SOUTH CAROLINA

Reply to: **NEW YORK**

WEB ADDRESS: WWW.GOLDBERGDCHAN.COM  
MAIN TELEPHONE (800) 719-1617  
FACSIMILE (888) 272-8822

**NEW YORK / NEW JERSEY OFFICE:**

275 MADISON AVENUE  
SUITE 705  
NEW YORK, NEW YORK 10016  
DIRECT (646) 502-7751

**HOME OFFICE:**

1776 NORTH PINE ISLAND ROAD  
SUITE 224  
PLANTATION, FLORIDA 33322  
DIRECT (954) 318-2888

September 13, 2012

Hon. Joan Azrack  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

**VIA ECF ONLY**

**RE: 1:12-cv-02144-JBW-JMA**  
***Gomez et al v. Wien Cafe Bakery et al***  
**Motion for Discovery**

Your Honor:

Because Defendants are in default in this case, the Initial Conference has been cancelled. Normally discovery may not begin until after the parties have conferred. FRCP 26(d). On behalf of the Plaintiff, I request permission to conduct third party discovery in this case. Specifically, I seek to subpoena information related to the bank account from which Defendants issued a check (which bounced) to one of the Plaintiffs allegedly for some portion of back wages owed. I seek to do so in hopes of obtaining evidence additional to the Plaintiffs' testimony to support our default judgment submissions. I request approximately 3 months in order to allow the bank ample time to respond to the request and to work out any limitations on the request as appropriate.

Sincerely,



Penn Dodson

*pdodson@goldbergdohan.com*